IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

WP(C).No. 32738 of 2007(V)

PETITIONER:

JOSE PAZHAYATHOTTAM,
AGED 50 YEARS, PAZHAYATHOTTAM HOUSE
ERUMELY P.O., KOTTAYAM, PIN 686 509.

BY ADV. SRI.GEORGE MATHEW

RESPONDENTS:

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1. STATE OF KERALA REP BY SECRETARY
LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM.

2. ERUMELY GRAMA PANCHAYATH
REP. BY ITS SECRETARY, GRAMA PANCHAYATH OFFICE
ERUMELY P.O.KOTAYAM PIN 686 509.

3. SECRETARY,ERUMELY GRAMA PANCHAYATH
GRAMA PANCHAYATH OFFICE, ERUMELY P.O.
KOTTAYAM PIN686 509.

R1 BY ADV. SRI.K.J.MOHAMMED ANZAR, SR. GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 32738 OF 2007

Dated this the 5th day of November, 2007

JUDGMENT

The petitioner who is conducting a tutorial college and tuition center in a room belonging to the Erumely Grama Panchayat is aggrieved by the initiation of revenue recovery proceedings for recovery of a total amount of Rs.2,31,572/- out of which Rs.19,430/- is claimed as penal interest. The petitioner has submitted Ext.P4 representation before the Minister. The petitioner relies on Ext.P5 order passed by the Government on a similar representation submitted by a similarly circumstanced person. Under Ext.P5 the Government has issued a direction to the Panchayat to waive the penal interest and to grant instalment facility to the party therein for discharging the debt.

I do not propose to take a decision on the merits of the matter. But since Ext.P4 has been submitted to the Minister, there will be a direction to the 1st respondent to ensure that a decision is taken by the 1st respondent on Ext.P4 at the earliest and at any rate within three months of receiving copy of this judgment together with a copy of this Writ Petition and all the exhibits. In the meanwhile, there will be stay of all further proceedings pursuant to Ext.P3 on condition that the petitioner remits at the rate of Rs.10,000/- per month.

PIUS C. KURIAKOSE, JUDGE

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